EXHIBIT D

U.S. Patent No. US 9,911,164 v. Cracker Barrel Old Country Store, Inc.

1. Claim Chart

Claim	Analysis
[1.P] A method, comprising: logging a customer unit into a restaurant dining system with a mobile device;	Cracker Barrel Old Country Store ("Company") performs and/or induces others to perform a method comprising: logging a customer unit into a restaurant dining system with a mobile device. This element is infringed literally, or in the alternative, under the doctrine of equivalents. For example, Company provides a Cracker Barrel application ("restaurant dining system") which is installed on various devices such as smartphones, and tablets ("mobile device"). Further, the application allows users ("customer") to sign in to the application ("logging a customer unit into a restaurant dining system"). Additionally, the application allows users to perform various functionalities such as finding nearby Cracker Barrel store locations, viewing menus, and joining waitlist. Source: https://www.crackerbarrel.com/Connect/mobile-app
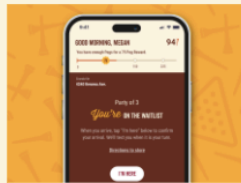
CHECK WAIT TIME & JOIN THE WAIT LIST

On your way? Use the app to check current wait times, add your name to the waitlist and reduce your wait time at your local Cracker Barrel.
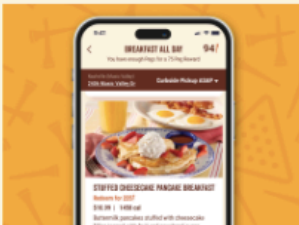
PAY AT THE TABLE

Skip the register line and pay from your table using our **MOBILE PAY** feature. We accept Apple Pay and Google Pay.

FIND A LOCATION

Find the Cracker Barrel store nearest you, get directions and hours, see current wait times, and browse the menu before you stop by.
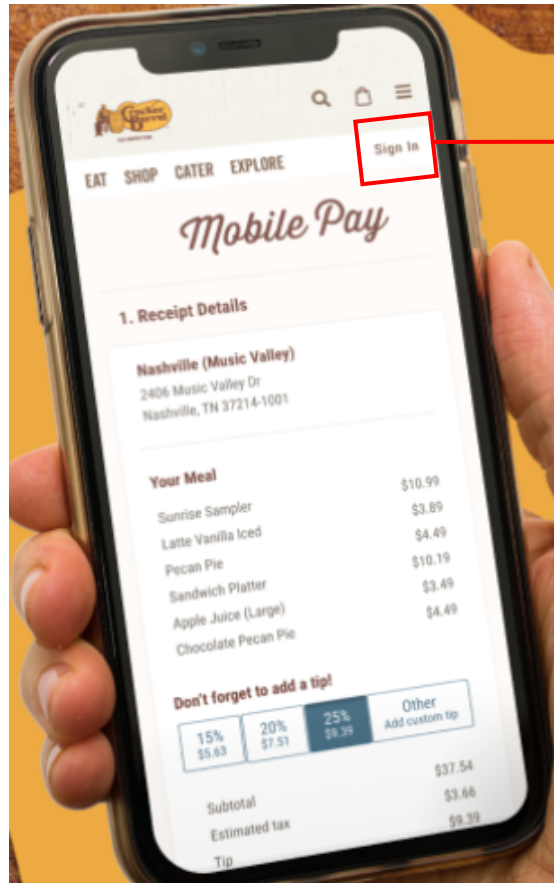
Source: https://www.crackerbarrel.com/Connect/mobile-app

ORDER ONLINE

We've made it even easier to place an order for your favorite Cracker Barrel meal. Browse the menu and order in the app for conveneient pickup, curbside or delivery.

Source: https://www.crackerbarrel.com/Connect/mobile-app

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logging a customer unit into a restaurant dining system

Source: https://qa-locations.crackerbarrel.com/products-and-services/pay (annotated)
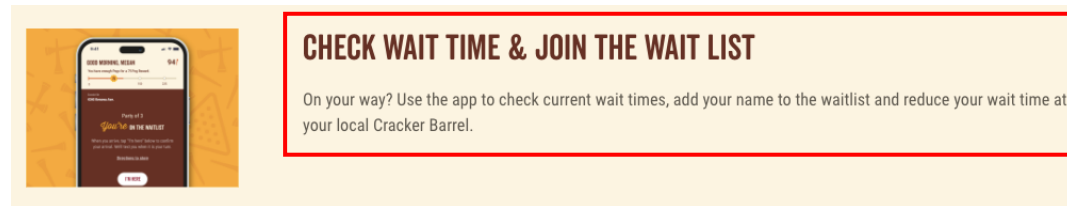
Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company.

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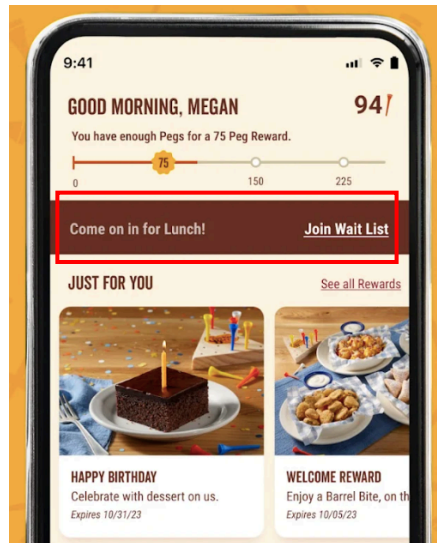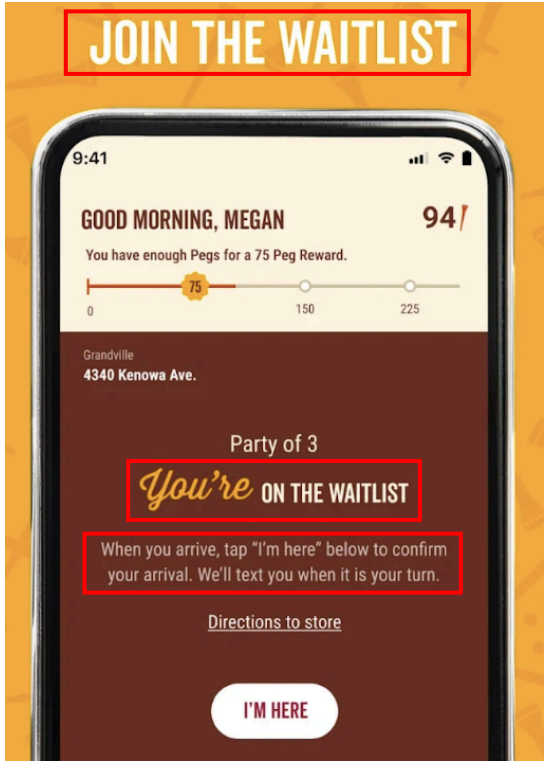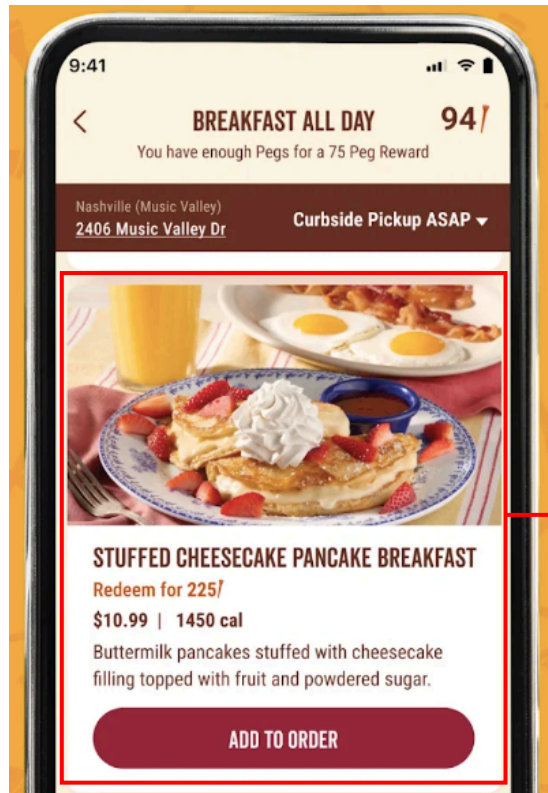| [1.1] when no table at the restaurant is available: placing the customer unit on a waiting list for a table; and informing the customer unit via the mobile device that the table is ready for the customer unit; | Company performs and/or induces others to perform a step comprising: when no table at the restaurant is available: placing the customer unit on a waiting list for a table; and informing the customer unit via the mobile device that the table is ready for the customer unit.

 This element is infringed literally, or in the alternative, under the doctrine of equivalents.

 For example, after signing in, the application allows the user to request a table in the restaurant by joining the wait list ("placing the customer unit on a waiting list for a table"). Further, the application allows user to check the current wait time such that the user receives a notification via text message that the table is ready ("informing the customer unit via the mobile device that the table is ready for the customer unit").

 CHECK WAIT TIME & JOIN THE WAIT LIST
 On your way? Use the app to check current wait times, add your name to the waitlist and reduce your wait time at your local Cracker Barrel.

 Source: https://www.crackerbarrel.com/Connect/mobile-app

 • Online waitlist – Guests can visit Cracker Barrel's **ONLINE WAITLIST** to request a table from the comfort of their own home or vehicle to reduce their onsite wait time. Upon arrival, guests will be greeted by a host on the front porch to let them know when they will be seated. Employees will be staged throughout the store or porch to ensure social distancing. In the event of a long wait time or large crowds, guests will be asked to stay in their car until they are notified via text message that their table is ready.

 Source: https://www.crackerbarrel.com/newsroom/news-releases/2020/nov/enjoy-thanksgiving-traditions-safely |

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Source: https://play.google.com/store/apps/details?id=com.crackerbarrel.app&hl=en_US&gl=US

Source: https://play.google.com/store/apps/details?id=com.crackerbarrel.app&hl=en_US&gl=US

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company.

[1.2] receiving and storing at least one customer data element from the customer	Company performs and/or induces others to perform a step of receiving and storing at least one customer data element from the customer unit in a database, wherein the at least one customer data element comprises the at least one request from the mobile device and at least one of a menu item selection or other item selection performed during at least one of pre-dining, dining and post-dining within the restaurant. This element is infringed literally, or in the alternative, under the doctrine of equivalents.

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unit in a database, wherein the at least one customer data element comprises the at least one request from the mobile device and at least one of a menu item selection or other item selection performed during at least one of pre-dining, dining and post-dining within the restaurant;	For example, the application stores the purchase history ("at least one customer data element") for the users and allows the user to order a meal ("the at least one request from the mobile device and at least one of a menu item selection or other item selection performed during at least one of pre-dining, dining and post-dining within the restaurant") from the restaurant menu displayed in the application installed on the smartphone. Source: https://play.google.com/store/apps/details?id=com.crackerbarrel.app&hl=en_US&gl=US (annotated)

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	(2) Transactional Information. As we are often interacting with you in a transactional way, we collect Personal Information related to your transactions with us. For example, we collect credit card information when you are making a purchase in our store or paying for a meal in a restaurant. We collect mailing information when we are shipping merchandise to you. We also collect and retain information related to your purchase history, participation in and use of Cracker Barrel Rewards and preferred store locations. Source: https://www.crackerbarrel.com/privacy Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company.
[1.3] uploading, by the restaurant dining system, a bill for the at least one item to the mobile device; and	Company performs and/or induces others to perform a step of uploading, by the restaurant dining system, a bill for the at least one item to the mobile device. This element is infringed literally, or in the alternative, under the doctrine of equivalents. For example, after selection of the meal options, the user receives the bill for the ordered meal ("bill for the at least one item") through the Cracker Barrel application ("restaurant dining system") installed on the user's smartphone.
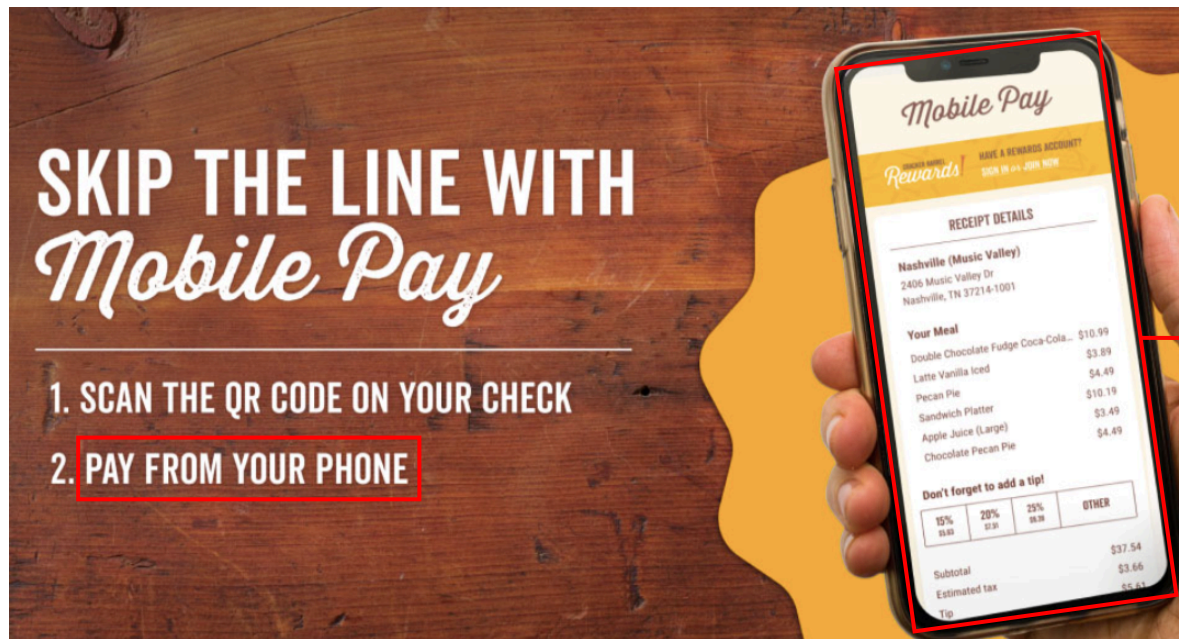
Source: https://www.crackerbarrel.com/products-and-services/pay (annotated)

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company.
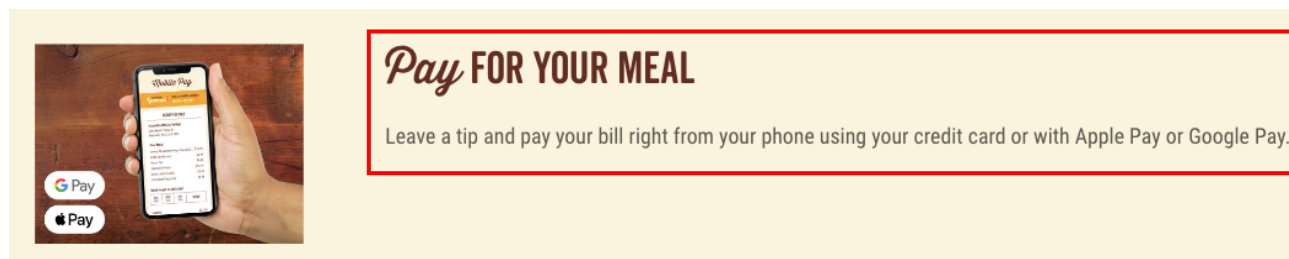
| [1.4] performing a self-checkout whereby payment for the at least one item is submitted by the customer unit via the mobile | Company performs and/or induces others to perform a step of performing a self-checkout whereby payment for the at least one item is submitted by the customer unit via the mobile device, and wherein the payment is submitted without interaction with a restaurant worker.

This element is infringed literally, or in the alternative, under the doctrine of equivalents.

For example, once the user receives the bill, the application allows the user to pay the bill through a Mobile Pay ("self-checkout whereby payment for the at least one item is submitted by the customer unit via the mobile device") feature where the user pays the bill from the smartphone using the credit card, Apple Pay or Google Pay ("without interaction with a restaurant worker"). |

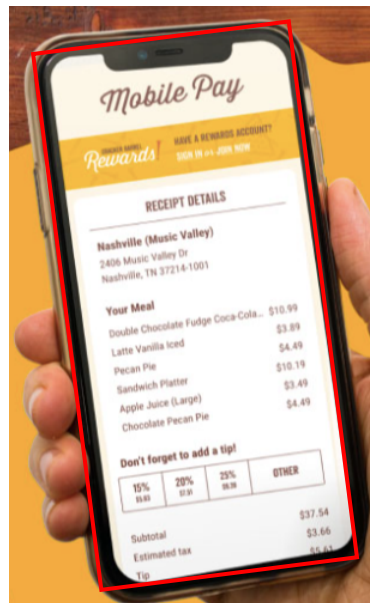| device, and wherein the payment is submitted without interaction with a restaurant worker. | payment for the at least one item is submitted via the mobile device

Source: https://www.crackerbarrel.com/products-and-services/pay

Source: https://www.crackerbarrel.com/products-and-services/pay

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Company. |

2. List of References

1. https://www.crackerbarrel.com/Connect/mobile-app, last accessed on 03 May, 2024.
2. https://qa-locations.crackerbarrel.com/products-and-services/pay, last accessed on 03 May, 2024.
3. https://www.crackerbarrel.com/newsroom/news-releases/2020/nov/enjoy-thanksgiving-traditions-safely, last accessed on 03 May, 2024.
4. https://play.google.com/store/apps/details?id=com.crackerbarrel.app&hl=en_US&gl=US, last accessed on 03 May, 2024.
5. https://www.crackerbarrel.com/privacy, last accessed on 03 May, 2024.
6. https://www.crackerbarrel.com/products-and-services/pay, last accessed on 03 May, 2024.